

No. \_\_\_\_\_

**CR-09 00199**

**RMW**

**RS**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

~~SEALED BY ORDER  
OF THE COURT~~

**SAN JOSE DIVISION**

100 FEB 25 P 1:14  
RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

**THE UNITED STATES OF AMERICA**

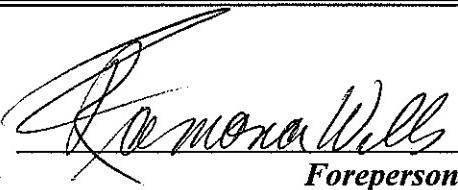
**vs.**

**ANTHONY NIETO CASTRO**

**INDICTMENT**

**COUNT ONE:** 18 U.S.C. Section 922(G)(1) - Felon in Possession of Firearm

*A true bill.*

  
*Ramona Wells*  
Foreperson

*Filed in open court this 25 day of February*

*A.D. 2009*



**UNITED STATES MAGISTRATE JUDGE**

**Bail. \$ NO BAIL WARRANT RS**

DOCUMENT NO.        FILED        INITIALS       

1

DISTRICT COURT  
CRIMINAL CASE PROCESS

1 JOSEPH P. RUSSONIELLO (CASBN 44332)  
2 United States Attorney  
3

FILED

2009 FEB 25 P 1:14

4 RICHARD W. WIEKING  
5 CLERK  
6 U.S. DISTRICT COURT  
7 NO. DIST. OF CA. S.J.  
8

5 SEALED BY ORDER  
6 OF THE COURT  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 RMW  
14 UNITED STATES OF AMERICA,

CR No. 09 00199 RS

15 Plaintiff,

VIOLATION: 18 U.S.C. §922(g)(1) – Felon  
16 v. in Possession of Firearm

17 ANTHONY NIETO CASTRO,

18 Defendant

19 SAN JOSE VENUE

20  
21 INDICTMENT

22 The Grand Jury charges:

23 COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon In Possession of Firearm)

24 1. On or about March 23, 2007, in the Northern District of California the defendant,

25 ANTHONY NIETO CASTRO,

26 having been previously convicted of a crime punishable by a term of imprisonment exceeding  
27 one year, did knowingly possess a firearm, to wit, a Smith and Wesson 38. caliber revolver

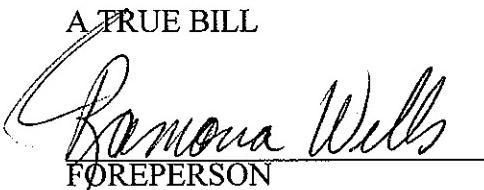
28 //

INDICTMENT

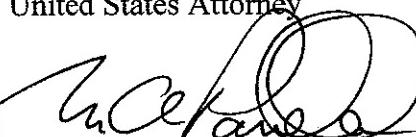
1 bearing serial number 167770, in and affecting commerce, in violation of Title 18 U.S.C. Section  
2 922(g)(1).

3 DATED: 2/25/09

4 A TRUE BILL

5   
6 FOREPERSON

7  
8 JOSEPH P. RUSSONIELLO  
United States Attorney

9  
10   
11 DAVID R. CALLAWAY <sup>for</sup>  
Deputy Chief, San Jose Branch

12  
13 (Approved as to form: AUSA O'Connell)

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AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

COUNT ONE: 18 U.S.C. §922(g)(1)- Felon in Possession of a Firearm

- Petty  
 Minor  
 Misdemeanor  
 Felony

**PENALTY:**

10 years imprisonment,  
\$250,000 fine  
3 years supervised release  
100.00 special assessment

*SEALED BY ORDER  
OF THE COURT*

**PROCEEDING**

Name of Complainant Agency, or Person (&Title, if any)

S/A MARI CASCIANO-ATF

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocsecution of charges previously dismissed  
 which were dismissed on motion of:

U.S. Att'y  Defense

this prosecution relates to a pending case involving this same defendant  
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Att'y  Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

THOMAS M. O'CONNELL

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

**FILED**

**DEFENDANT - U.S.**

2009 FEB 25 P 1:14

→ ANTHONY NIETO CASTRO

RICHARD W. WIEKING

CLERK

U.S. DISTRICT COURT

NO. DIST. OF CA. S.J.

**CR - 09 00199**

**RMW**

**RS**

**DEFENDANT****IS NOT IN CUSTODY**

- 1)  Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction
- 6)  Awaiting trial on other charges }       Fed'l     State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?       Yes     No } If "Yes" give date filed

DATE OF ARREST      Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

SUMMONS  NO PROCESS\*

WARRANT      Bail Amount: NO BAIL

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_